

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, APRIL 18, 2006 7:00 PM

C Parsons called the meeting to order at 7:03 pm., at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, McKenzie, Mercer, Wozniak

Commissioners Absent: Horton

Staff Present: Community Development Director de Melo (CDD), City Attorney Zafferano, (CA), Recording Secretary Crouse (RS), Associate Planner (AP) Walker.

2. AGENDA AMENDMENTS

CDD de Melo announced that item 5C, 809 North Road, would not be heard tonight, that there would be no staff presentation, and that this item would be continued until the May 2nd meeting of the Planning Commission.

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Action Minutes of: 3/12/06

**MOTION: By C Wozniak, seconded by C McKenzie,
to accept the Action Minutes of
March 21, 2006 as presented.**

Ayes: Wozniak, McKenzie, Mercer

Noes: None
Abstain: Parsons
Absent: Horton

Motion passed: 3/0/1/1

5. NEW BUSINESS

5A. PUBLIC HEARING – 522 El Camino Real

To consider a Conditional Use Permit to modify the hours of operation for a McDonald's restaurant to allow dine-in services from 5:30 AM to 11:00 PM, and to allow drive-through service 24 hours per day. (Appl. No. PA2006-0006)

APN: 044-201-060 and 044-201-260

ZONING: C-3/D-1 – Highway Commercial/Design Control District

CEQA Status: Recommended Categorical Exemption per Section 15301

Applicant: Grace Bothne, Esq. of Berliner Cohen

Owner: McDonald's Corporation

AP Walker summarized the staff report, recommending approval.

C McKenzie asked whether Central School had been contacted regarding the neighborhood outreach. AP Walker responded that they had been included in the notifications and that no response had been received.

C McKenzie questioned that 3 notices that were mailed were for businesses across the railroad tracks and asked whether that was relevant. AP Walker responded that they were included in the 300' radius and therefore were mailed a notice.

C Mercer asked about the other drive-thru restaurant in Belmont and what are their drive-thru hours of operation. CDD de Melo responded that Wendy's drive-thru hours are open until midnight.

C Mercer asked about a lighting plan. AP Walker responded that a lighting plan is a condition of approval.

C McKenzie asked about a lighting plan to include the drive-thru driveway and not just the parking lot.

C Wozniak asked how many businesses in Belmont operate on a 24 hour basis. The consensus was that the two Safeways, Chuck's Donuts, and maybe 7-11.

C Wozniak asked about an analysis of criminal activity on El Camino Real in this area. AP Walker responded that the police department is aware of the 24 hour use, that they will closely monitor this, and did not provide analysis information to the planning staff.

C Wozniak asked about access between McDonald's and the school. Consensus was that there is an 8 foot cyclone fence, an "Amazon jungle" between the two, a distance of 150 feet, and a cliff.

C Wozniak asked about current hours of operation. AP Walker responded that they are operating within the hours that the current permit allows.

C Wozniak asked about "no loitering" signs and management staff on hand to enforce this. AP Walker responded that there are 3 staff members on-site at all times.

C McKenzie clarified that this proposal extends the morning dining hours to 5:30A.M, as well. AP Walker affirmed.

Andrew Faber, Berliner Cohen, accepts all of the conditions and McDonald's security is working extensively with the police department. McDonald's has a central monitoring station for security and interactively can talk to the parking lot and can ask people to leave.

**MOTION: By C Wozniak, seconded by C Mercer, to close the public hearing.
Motion passed by a verbal of 4 ayes.**

C Wozniak commented that there are only a few 24 hour operations in Belmont because of a lack of activity from Belmont residents and that opening McDonald's 24 hours is inviting trouble. C Wozniak commented that she doesn't like the access between McDonald's and the school and that she could not support this project or the extension of the hours.

C Mercer expressed a concern for the lighting emission and the effect on the night time ambiance of a small town. C Mercer expressed the need for a specific lighting plan that would not increase the light pollution on the corridor plus a layout of the signs and security cameras.

C McKenzie commented that El Camino is a highway and their request fits the category of that zoning environment. After visiting the McDonald's and Central School sites, he does not see any direct conflict considering an 8 foot fence, 150 foot distance, security cameras, and 7-11 open 24hrs just a few feet away.

C Parsons commented about the difficulty in getting something to eat in Belmont, San Mateo and San Carlos after 11P.M. and that McDonalds has been a good neighbor in regards to backing away from a previous expansion plan when it was realized that it was not going to work in Belmont. C Parsons does have some concerns about the lighting and would like to see a lighting plan come back. He could support a project like this with a specific lighting plan that has down lighting that does not shine out.

**MOTION: By C Mercer, seconded by C McKenzie,
to adopt a Resolution approving a
Conditional Use Permit for 522 El Camino Real (Appl. No. 2006-0006)
with conditions:**

- **A lighting plan**
- **Location of the signs**
- **A security camera plan**

Ayes: Mercer, McKenzie, Parsons

Noes: Wozniak

Absent: Horton

Motion Passed: 3/1/1

5B. PUBLIC HEARING – 325 Marine View Avenue

To consider a Conditional Use Permit and Design Review to replace the existing St. Mark's Church roof with a new redesigned roof that retains the existing cross and includes a reflected cupola addition.

(Appl. No. 2006-0017)

APN: 040-500-220; Zoned: PD (Planned Development)

CEQA Status: Recommended Categorical Exemption per Section 15301

Applicant: Frank Gonsalves

Owner(s): Roman Catholic Archbishop of San Francisco

CDD de Melo summarized the staff report, recommending approval.

Chair Parsons asked about the 1998 landscape and irrigation installation plan and if there was bonding. Staff replied that there was no bonding.

C Wozniak asked about hours of operation for the parish center and the church. Staff to provide more information on these hours at a later date.

Frank Gonsalves, Applicant, was in attendance to respond to questions.

C Mercer asked about the lighting of the cupola. Mr. Gonsalves responded that the design of the cupola is to let outside light in and that there would be no directive light; there are parking lot lights.

C Wozniak asked about the quality of materials; roofing materials. Staff to obtain more specific information from applicant.

Father Al Furtado, Archdiocese of San Francisco, was in attendance to respond to questions and described that the roof is sagging and he does not think that it will not stand another rainy season. The cupola will not have the direct rays of the sun but allow for reflective lighting. The midnight mass at Christmas has been changed to 10pm. Services in the morning are at 8:30am. The church is not used late at night and is locked everyday.

Monica Koch, parishioner, spoke in favor of the project.

MOTION: By C Wozniak, seconded by C Mercer, to close the public hearing.

Motion passed by a verbal of 4 ayes.

Chair Parsons questioned that a landscape/irrigation plan approved some years ago, that was to be bonded, was not followed through on due to money and yet there was paving done in place of landscaping when there wasn't any money. Whereas the project now is to replace the roof, a landscape plan is needed to determine how the landscaping will be replaced due to the additional construction work.

C Wozniak agreed the church needs a new roof; asked for clarification on the roofing materials; wants additional information on design/construction of the cupola; and looking for a greener landscape plan.

C Mercer concerned about exterior light; up lighting; that it never be lit externally at night. Concerned about funding and that money can be a real issue; financing needs to be guaranteed.

C McKenzie commented that other than the church itself, most of the site is a parking lot; concerned about landscaping; concerned about appearance/details of the cupola/roof.

MOTION: By C Wozniak, seconded by C McKenzie, to CONTINUE TO

**DATE UNCERTAIN a Conditional Use Permit
and Design Review for 325 Marine View Avenue
(Appl. No. 2006-0017) and obtain more info:**

- **Roof (new structural roof): trim colors, type of shingles, color of glass**
- **Landscaping plan/paving issues**
- **Guaranteed Financing**
- **No exterior lighting**
- **No up lighting**
- **Documented hours of operation**

Ayes: Wozniak, McKenzie, Mercer, Parsons

Noes: None

Absent: Horton

Motion passed: 4/0/1

5C. PUBLIC HEARING – 809 North Road

To consider a Design Review to construct an 1,899 square-foot addition, and convert an existing 1,420 square foot single family residence to a duplex (two-family dwelling). The project would result in a total of 3,859 square feet for the duplex structure, below the zoning district permitted 4,224 square feet for this site. (Appl. No. 2005-0068).

APN: 044-151-220; Zoned: R-2 (Duplex Residential)

CEQA Status: Recommended Categorical Exemption per Section 15303(b)

Applicant/Owner: Ram Raju

**TO BE CONTINUED TO PLANNING COMMISSION MEETING
OF MAY 2, 2006**

CDD de Melo made an announcement that item 5C, 809 North Road, would not be heard tonight and that there would be no staff presentation.

**MOTION: By C Mercer, seconded by C Wozniak, to CONTINUE the Design Review for
809 North Road to the Planning Commission meeting of May 2, 2006.**

Ayes: Mercer, Wozniak, McKenzie, Parsons

Noes: None

Absent: Horton

Motion passed: 4/0/1

6. REPORTS, STUDIES, UPDATES, AND COMMENTS

6A. Avanti Pizza Commercial Center – 2040 Ralston Avenue

CDD de Melo updated that work is being done with the code enforcement officer. Phone calls have been made with no response, as yet.

6B. Wendy's - 698 Ralston Avenue

CDD de Melo updated that the City Attorney's office has been working on this with the property owner/manager. The landscaping should be in the ground by Friday, April 21, 2006.

6C. Chuck's Donuts - 641 Ralston Avenue

CDD de Melo updated that the City Attorney's office is working on this with the City Arborist scheduled to go out.

**PLANNING COMMISSION LIAISON TO CITY COUNCIL
MEETING OF TUESDAY, APRIL 25, 2006.**

Liaison: Commissioner Wozniak
Alternate Liaison: Commissioner McKenzie

9. ADJOURNMENT:

The meeting was adjourned at 8:35 p.m.
to a regular meeting on Tuesday, May 2, 2006, at 7:00 pm at Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

*CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.*